

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
DANVILLE DIVISION

VICKY PRUITT,)	
Administrator of the Estate of Harold)	
Jefferson Bray, Deceased,)	
)	
Plaintiff,)	Case No. 4:14-cv-00006
)	
v.)	<u>ORDER</u>
)	
BROC, LLC,)	By: Hon. Jackson L. Kiser
)	Senior United States District Judge
Defendant.)	

Plaintiff filed this wrongful death action on February 3, 2014. On September 15, 2014, Plaintiff filed a Motion for Leave to File an Amended Complaint [ECF No. 18]. Defendant has not offered any opposition to that motion. Pursuant to the pre-trial Order entered in this case (Order ¶ 4, March 11, 2014 [ECF No. 4]), the Motion is well taken and is **GRANTED**. The Clerk is directed to file the Amended Complaint [ECF No. 18-1]. Defendant's original Answer [ECF No. 2] and the denials therein are hereby deemed a denial of same allegations, as well as any supplemental allegations, in the Amended Complaint. Defendant's admissions of the allegations in the original Complaint are admissions of the same allegations in the Amended Complaint. No further response from Defendant is required.

On September 9, 2014, Defendant filed a motion to exclude Plaintiff's proposed expert witness, Robin Taylor, R.N., and for summary judgment [ECF No. 16]. For the reasons stated in open court and in the accompanying Memorandum Opinion, Defendant's Motion is hereby **DENIED**.

The Clerk is directed to forward a copy of this Order and accompanying Memorandum Opinion to all counsel of record.

Entered this 9th day of October, 2014.

s/Jackson L. Kiser
SENIOR UNITED STATES DISTRICT JUDGE